



**DECLARATION
Utility Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **CATHETER BALLOONS** the specification of which

(Check One)

☐

is attached hereto OR

☒

was filed on September 15, 2003 as United States Application Serial No. or PCT International Application No. 10/663,176 and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name Gregory	MIDDLE Initial Richard	LAST Name Eberl	
	RESIDENCE & CITIZENSHIP	City Sunnyvale	State or Foreign Country CA	Country of Citizenship US	
	POST OFFICE ADDRESS	1654 Belleville Way	City Sunnyvale	State or Country CA	Zip Code 94087
INVENTOR'S SIGNATURE <u><i>Greg Eberl</i></u>			DATE <u>4/15/04</u>		

202	FULL NAME OF INVENTOR	FIRST Name Mark	MIDDLE Initial David	LAST Name Forrest	
	RESIDENCE & CITIZENSHIP	City Sunnyvale	State or Foreign Country CA	Country of Citizenship US	
	POST OFFICE ADDRESS	1055 Escalon Avenue, Apt 212	City Sunnyvale	State or Country CA	Zip Code 94085
INVENTOR'S SIGNATURE <u><i>Mark D. Forrest</i></u>			DATE <u>4/15/04</u>		



Docket No. 2024729-7019712001
(02-302)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Gregory R. Eberl, et al

Serial No.: 10/663,176

Filed: September 15, 2003

For: CATHETER BALLOONS

Group Art Unit: 3762

Confirmation No.: 2830

Examiner: Not-Yet-Assigned

**PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY
UNDER 37 C.F.R. § 3.71**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SCIMED Life Systems, Inc., a Minnesota Corporation, the assignee of the entire right, title and interest in this patent application, under 37 C.F.R. § 3.71 hereby appoints all attorneys associated with:

Customer Number 23639

with full powers of substitution and revocation, to prosecute this application and transact all matters in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefore before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified application, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

Please direct all written communications relative to this application to:

David T. Burse
Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, CA 94111-4067

Please direct all telephone communications to David T. Burse at (650) 849-4400

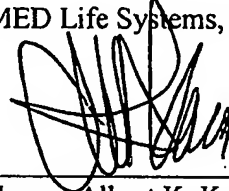
I, the undersigned, declare that I have reviewed copies of the documentary evidence establishing chain of title to the patent application identified above from the inventor(s) to the assignee(s), which:

- ☐ is filed for recordation herewith; or
☐ was recorded at Reel _____, Frame _____; or
☒ has been sent for recordation under separate cover, copy attached herewith.

To the best of the undersigned's knowledge and belief, title is in the assignee(s) identified above. Furthermore, the undersigned is empowered to sign this document on behalf of the assignee(s).

SCIMED Life Systems, Inc.

Dated: 4/19/04

By: 

Name: Albert K. Kau

Title: Patent Counsel

Address: One SCIMED Place,
Maple Grove, Minnesota 55311-1566



 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 4199
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Facsimile

DATE April 20, 2004

Bingham McCutchen LLP
 1900 University Avenue
 East Palo Alto, CA
 94303-2223

 650.849.4400
 650.849.4800 fax

 bingham.com

	NAME	FAX	PHONE
TO	ASSIGNMENT UNIT US Patent and Trademark Office	(703) 306-5995	(703) 308-9723

FROM Maritza D. Kidd (650) 849-4800 (650) 849-4481
 maritza.kidd@bingham.com

PAGES (INCLUDING THIS COVER PAGE): 5

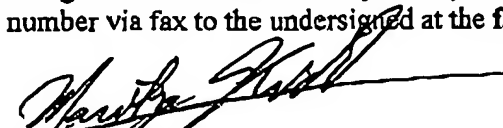
RE Assignment for US Appl S/N: 10/663,176

Message:

Re: US Application Serial No. 10/663,176
 Filed: September 15, 2003

I hereby certify that an Assignment (2 pages); Recordation Cover Sheet Form PTO-1595 (1 page) and an assignment transmittal with certificate of facsimile transmission (1 page) are being facsimile transmitted to the United States Patent and Trademark Office on the date shown above.

Assignment recordation is respectfully requested. Please forward the assignment reel/frame number via fax to the undersigned at the fax No. (650) 849-4800.


 Maritza Kidd

Boston
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 Tokyo
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 Washington



Docket No. 2024729-7019712001
(02-302)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Gregory R. Eberl, et al

Serial No.: 10/663,176

Filed: September 15, 2003

For: CATHETER BALLOONS

Group Art Unit: 3762

Confirmation No.: 2830

Examiner: Not-Yet-Assigned

ASSIGNMENT TRANSMITTAL

COPY

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an executed Assignment (2 pages) and Recordation Cover Sheet Form PTO-1595 (1 page) for the above-identified application.

Assignment recordation is respectfully requested. Please forward the assignment reel/frame number via fax to the undersigned at the fax No. (650) 849-4800.

Respectfully submitted,

BINGHAM McCUTCHEN LLP

Dated:

April 20, 2004

By:

DT Burse

David T. Burse
Reg. No. 37,104

BINGHAM McCUTCHEN LLP
Three Embarcadero, Suite 1800
San Francisco, CA 94111-4067
(650) 849-4400

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. §1.6 (d))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via fax on the date shown below to U.S. Patent and Trademark's fax number (703) 306.5995 addressed to the Commissioner for Patents, Alexandria, VA 22313-1450

Date of facsimile transmission
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April 20, 2004

Maritza Kidd

Name of Person transmitting Paper

Signature of Person transmitting Paper

Maritza Kidd



FORM PTO-1595
1-31-92

RECORDATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Docket No. 2024729-7019712001

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Gregory Richard Eberl and Mark David Forrest
Additional name(s) of conveying party(ies) attached?
☐ Yes ☒ No

2. Name and address of receiving party:
Name: Scimed Life Systems, Inc.

Internal Address: One Scimed Place

City: Maple Grove State: MN Zip: 55311-1566

Street Address: One Scimed Place

City: Maple Grove State: MN Zip: 55311-1566

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:
☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____
Execution Date: April 14, 2004 and April 14, 2004

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A: Patent Application No(s): 10/663,176

B: Patent No(s): _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: David T. Burse

Internal Address: BINGHAM McCUTCHEN LLP
Three Embarcadero, Ste 800
San Francisco, CA 94111-4067

6. Total number of applications and patents involved: _____

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Paid with this authorization to charge the above fee

☒ Charge this Deposit Account if any additional fee is required

8. Deposit Account Number: 50-2518 Bingham McCutchen

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David T. Burse

David T. Burse, Reg No. 37,104

Date: April 20, 2004

Total number of pages including cover sheet: 3

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks

Box Assignments

Alexandria, VA 22313-1450

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Alexandria, VA 22313, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Alexandria, VA 22313

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, We, Gregory Richard Eberl and Mark David Forrest, citizens of United States of America (hereinafter referred to as "ASSIGNORS"), have invented and own a certain invention entitled CATHETER BALLOONS for which application for Letters Patent of the United States of America has been filed on September 15, 2003, under application serial No. 10/663,176; and

WHEREAS, SciMed Life Systems, Inc., a corporation organized and existing under and by virtue of the laws of the state of Minnesota and having its principal place of business at One Scimed Place, Maple Grove, MN 55311-1566 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents or any legal equivalent thereof, to issue said patents to ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has

been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

4/14/04
Date

4/15/04
Date

Greg Eberl
Gregory Richard Eberl

Mark D. Forrest
Mark David Forrest